



STANLEY W. LEIGHTON, CHAIRMAN  
BURTIS S. BROWN  
THOMAS M. REYNOLDS

## BOARD OF APPEAL

KATHARINE E. TOY, CLERK  
TELEPHONE  
WE. 5-1664

Appeal of Anna F. Greathhead

Pursuant to due notice the Board of Appeal held a public hearing in the Upper Town Hall at 8:00 p.m. on May 1, 1952 on the appeal of Anna E. Greathhead from the refusal of the Inspector of Buildings to issue a permit to her to erect a dwelling at 58 Manor Avenue with side yards less than the required twenty feet.

Statement of Facts

The Inspector of Buildings under the date of April 7, 1952 notified the appellant in writing that a permit for the proposed dwelling could not be granted because the same would violate Section 9-C of the Zoning By-law which requires 20-foot side yards. On the same date the appellant took an appeal in writing from such refusal, and thereafter due notice of the hearing was given by mailing and publication.

At the hearing the appellant appeared and submitted plans of the proposed dwelling together with a plot plan showing its proposed location. The lot in question is 50' x 100' and contains only 5,000 square feet. However, it was held as a separate lot in March, 1937 at the time the Zoning By-law became effective and may be built upon even though it does not contain the required area of 10,000 square feet.

The plot plan submitted showed the appellant desires to construct a thirty-foot house with ten-foot side yards.

The appellant explained that at present there is a small four-room dwelling on the lot in question which she and her family occupy. The house is too small for her needs, and it is her desire to build a new house on the lot and upon its completion, the present house will be torn down. The appellant stressed her need for a larger house and stated that the proposed dwelling will be a great improvement to the neighborhood.

Speaking in favor of the request were: Cecilia E. O'Malley, 17 Fenmere Avenue, Mary E. O'Neil, 75 Manor Ave., John Q. Gooding, 56 Manor Ave.

No objections were made to the granting of the requested variance.

Decision

Upon examination of a plan of the neighborhood, it appears that the neighborhood has been generally developed by the construction of houses with side yards less than the required twenty feet.

The Board feels that substantial hardship to the appellant and her family is involved in this case, and that a variance can be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of said Section 9-C of the Zoning By-law.

Accordingly, the Board unanimously grants the requested variance and authorizes the issuance of a permit for the proposed dwelling subject to the condition that: The present dwelling must be removed within three months after the proposed house is ready for occupancy, and that the foundation must be removed and the ground leveled and regraded to the satisfaction of the Inspector of Buildings.

B. S. Brown  
Burtis S. Brown

T. M. Reynolds  
Thomas M. Reynolds

Sherman J. L. Brown  
Sherman J. L. Brown

May 26, 1952.